

JOHN D. TENNERT, III  
Nevada State Bar No. 11728  
WADE BEAVERS  
Nevada State Bar No. 13451  
FENNEMORE CRAIG, P.C.  
7800 Rancharra Parkway  
Reno, NV 89511  
Tel: (775) 788-2200 / Fax: (775) 786-1177  
Email: [jtennert@fennemorelaw.com](mailto:jtennert@fennemorelaw.com); [wbeavers@fennemorelaw.com](mailto:wbeavers@fennemorelaw.com)

*Attorneys for Defendants  
Top Shelf Golf, LLC, Top Shelf IT Solutions, Inc,  
Ivan Sokolovich and Inna Sokolovich*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MOTOGOLF.COM, LLC, a Nevada limited-  
liability company;

Plaintiff,

vs.

TOP SHELF GOLF, LLC, a Maine limited  
liability company; TOP SHELF IT  
SOLUTIONS, INC., a Maine corporation;  
IVAN SOKOLOVICH, an individual; INNA  
SOKOLOVICH, an individual;

Defendants.

Case No. 2:20-cv-00674-APG- DJA

**[CORRECTED] STIPULATION AND  
ORDER EXTENDING DEFENDANTS'  
TIME TO RESPOND TO SECOND  
AMENDED COMPLAINT**

**(SECOND REQUEST)**

Plaintiff, MOTOGOLF.COM, LLC, by and through its counsel, Joseph R. Ganley, Esq. and Richard L. Wade, Esq., of Hutchison & Steffen, PLLC ("Plaintiff"), and Defendants TOP SHELF GOLF, LLC, TOP SHELF IT SOLUTIONS, INC., IVAN SOKOLOVICH and INNA SOKOLOVICH ("Defendants"), by and through their counsel, John D. Tennert, III, Esq. and Wade Beavers, Esq., of Fennemore Craig, P.C., request that the Court enter an order, pursuant to Local Rule IA 6-1, extending the deadline for Defendants to file a motion in lieu of an answer to Plaintiff's Second Amended Complaint [ECF No. 104] to **June 9, 2022**, the deadline for Plaintiff to file a

1 response to the motion to **July 11, 2022**, and the deadline for Defendants to file a reply to **July 25,**  
2 **2022.**

3 Pursuant to LR IA 6-1, Defendants' counsel submits that the failure to file the stipulation  
4 prior to April 25, 2022 was the result of excusable neglect. On April 20, 2022, counsel for  
5 Defendants requested that Plaintiff's counsel agree to a two-week extension, from April 25, 2022 to  
6 May 9, 2022, to file a response to the Second Amended Complaint on grounds that the wife of the  
7 attorney responsible for drafting the response was expected to give birth within the next few days.  
8 (*See* Ex. 1, Declaration of J. Tennert ¶¶ 4-5, and Emails between Mr. Beavers and Mr. Gibson  
9 attached thereto as Ex. A.) Plaintiff's counsel graciously agreed. (*See id.*) Before a stipulation was  
10 executed and filed, Defendant's counsel's child was born on the morning of April 22, 2022. (*See id.*  
11 ¶ 6.) Although the parties had agreed to extend the time to file a response to the Second Amended  
12 Complaint before April 25, 2022, the undersigned lead counsel for Defendants inadvertently failed  
13 to circulate a stipulation for Plaintiff's approval and file the stipulation before the April 25, 2022  
14 deadline. (*See id.* ¶ 7.)

15 On April 28, 2022, Plaintiff filed a Motion to Substitute Hutchison & Steffen, PLLC in place  
16 and stead of Gibson Lexbury, LLP. [*See* ECF No. 106.] Plaintiff's new counsel agreed to an  
17 additional extension of time for Defendants to respond to the Second Amended Complaint through  
18 June 9, 2022 and Defendants agreed to a reciprocal extension of time for Plaintiff's new counsel to  
19 respond. On May 2, 2022, the parties submitted the Stipulation and Order Extending Defendants'  
20 Time to Respond to the Second Amended Complaint (First Request). [*See* ECF No. 109]. On May  
21 11, 2022, the Court issued a Minute Order denying the parties' stipulation without prejudice and  
22 ordered that the parties file a corrected stipulation by May 18, 2022. [*See* ECF No. 111]

23 This is the parties' second request to extend the deadline for filing a response to the Second  
24 Amended Complaint and is not made for any deleterious purposes or to unnecessarily delay these  
25 proceedings. Rather, the parties seek this extension in good faith to allow Defendants' counsel  
26 additional time to prepare and file a motion in lieu of an answer resulting from their drafting  
27 attorney's family leave and to allow additional time for Plaintiff's new counsel to prepare and file a  
28 response.

Therefore, the parties stipulate and agree to extend the deadline for Defendants to file a motion in lieu of an answer to the Second Amended Complaint from April 25, 2022 to **June 9, 2022**. The parties further agree that Plaintiff shall have until **July 11, 2022** to respond to a motion in lieu of an answer and that Defendants shall have until **July 25, 2022** to file a reply.

Dated: May 13, 2022.

**FENNEMORE CRAIG, P.C.**

By: /s/ John D. Tennert III

John D. Tennert, III, Esq.

Nevada State Bar No. 11728

Wade Beavers, Esq.

Nevada State Bar No. 13451

7800 Rancharra Parkway

Reno, Nevada 89511

Tel: (775) 788-2200; Fax: (775) 786-1177

Email: [jtennert@fennemorelaw.com](mailto:jtennert@fennemorelaw.com)

[wbeavers@fennemorelaw.com](mailto:wbeavers@fennemorelaw.com)

Dated: May 13, 2022.

**HUTCHISON & STEFFEN, PLLC**

By: /s/ Richard L. Wade

Joseph R. Ganley, Esq.

Nevada State Bar No. 5643

Richard L. Wade, Esq.

Nevada State Bar No. 11879

10080 West Alta Drive, Suite 200

Las Vegas, Nevada 89145

Tel: (702) 385-2500; Fax: (702) 385-2086

Email: [jganley@hutchlegal.com](mailto:jganley@hutchlegal.com)

[rwade@hutchlegal.com](mailto:rwade@hutchlegal.com)

*Attorneys for Defendants Top Shelf Golf, LLC, Top Shelf IT Solutions, Inc, Ivan Sokolovich and Inna Sokolovich*      *Attorneys for Plaintiff Motogolf.com, LLC*

**IT IS SO ORDERED:**

  
UNITED STATES MAGISTRATE JUDGE

Dated: May 17, 2022

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## EXHIBIT INDEX

| Exhibit | Description  |
|---------|--|
| 1.      | Declaration of Counsel Pursuant to LR 7-4 and 26-6 |

## **Exhibit 1**

### **Declaration of Counsel Pursuant to LR 7-4 and 26-6**

JOHN D. TENNERT, III  
Nevada State Bar No. 11728  
WADE BEAVERS  
Nevada State Bar No. 13451  
FENNEMORE CRAIG, P.C.  
7800 Rancharra Parkway  
Reno, NV 89511  
Tel: (775) 788-2200 / Fax: (775) 786-1177  
Email: [jtennert@fennemorelaw.com](mailto:jtennert@fennemorelaw.com); [wbeavers@fennemorelaw.com](mailto:wbeavers@fennemorelaw.com)

*Attorneys for Defendants  
Top Shelf Golf, LLC, Top Shelf IT Solutions, Inc.,  
Ivan Sokolovich and Inna Sokolovich*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MOTOGOLF.COM, LLC, a Nevada limited-  
liability company;

Plaintiff,

vs.

TOP SHELF GOLF, LLC, a Maine limited  
liability company; TOP SHELF IT  
SOLUTIONS, INC., a Maine corporation;  
IVAN SOKOLOVICH, an individual; INNA  
SOKOLOVICH, an individual;

Defendants.

Case No. 2:20-cv-00674-APG-EJY

**DECLARATION OF COUNSEL PURSUANT  
TO LR 7-4 AND 26-6**

I, John D. Tennert III, declare as follows:

1. I am a director with the law firm of Fennemore Craig, P.C., and one of the attorneys of record for Top Shelf Golf, LLC; Top Shelf IT Solutions, Inc., Ivan Sokolovich, and Inna Sokolovich (together, the “Defendants”) in this matter.

2. I have personal knowledge of the facts stated herein, and if called and sworn as a witness, I would and could testify competently thereto.

3. I submit this declaration in support of the Stipulation and Order Extending Defendants’ Time to Respond to Second Amended Complaint (Second Request).

4. On April 20, 2022, counsel for Defendants requested that Plaintiff’s counsel agree to a two-week extension, from April 25, 2022 to May 9, 2022, to file a response to the Second Amended

1 Complaint on grounds that the wife of the attorney responsible for drafting the response was expected  
2 to give birth within the next few days.

3 5. Plaintiff's counsel graciously agreed to such an extension. A copy of the email  
4 exchange between Mr. Beavers and Mr. Gibson is attached hereto as Exhibit A.

5 6. Before a stipulation was executed and filed, Defendants' counsel's child was born on  
6 April 22, 2022.

7 7. Although the parties had agreed to extend the time to file a response to the Second  
8 Amended Complaint before April 25, 2022, the undersigned lead counsel for Defendants  
9 inadvertently failed to circulate a stipulation for Plaintiff's approval and file the stipulation before  
10 April 25, 2022.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is  
12 true and correct.

13 Executed on May 13, 2022.

14 /s/ John D Tennert III  
15 John D. Tennert III  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## EXHIBIT INDEX

| Exhibit | Description  |
|---------|--|
| A.      | Emails between Wade Beavers and Steven A. Gibson, April 20, 2022 |



## **Exhibit A**

**Emails between Wade Beavers and  
Steven A. Gibson, April 20, 2022**

## Hope, Sarah

---

**From:** Steven Gibson <sgibson@gibsonlexbury.com>  
**Sent:** Wednesday, April 20, 2022 6:17 PM  
**To:** Beavers, Wade; Michael R. Shaffer  
**Cc:** Tennert, John; Hope, Sarah; Sorensen, Debbie  
**Subject:** RE: Motogolf.com, LLC v. Top Shelf Golf, LLC et al.- Second Amended Complaint [FC-Email.FID10931979]

Granted and congratulations.

Best regards,

Steven A. Gibson, Esq.  
Managing Partner



**GIBSON LEXBURY LLP**

3470 East Russell Road, Second Floor  
Las Vegas, Nevada 89120  
Direct: (702) 541-8200  
Cell: (702) 499-4966  
Main: (702) 541-7888  
Fax: (702) 541-7899  
E-mail: [sgibson@gibsonlexbury.com](mailto:sgibson@gibsonlexbury.com)  
[www.gibsonlexbury.com](http://www.gibsonlexbury.com)



**Steven A. Gibson Esq.**

Gibson Lexbury LLP  
Managing Partner  
(702) 541-8200 Work  
(702) 499-4966 Mobile  
(702) 541-7888 Main  
(702) 541-7899 Fax  
[sgibson@gibsonlexbury.com](mailto:sgibson@gibsonlexbury.com)  
3470 East Russell Road, Seco...  
Las Vegas, Nevada 89120-2201

---

**From:** Beavers, Wade <WBeavers@fennemorelaw.com>  
**Sent:** Wednesday, April 20, 2022 5:43 PM  
**To:** Steven Gibson <sgibson@gibsonlexbury.com>; Michael R. Shaffer <mshaffer@gibsonlexbury.com>  
**Cc:** Tennert, John <jtennert@fennemorelaw.com>; Hope, Sarah <shope@fennemorelaw.com>; Sorensen, Debbie <DSorensen@fennemorelaw.com>  
**Subject:** [Motogolf.com](http://Motogolf.com), LLC v. Top Shelf Golf, LLC et al.- Second Amended Complaint [FC-Email.FID10931979]

Steve, Michael,

I write to request the courtesy of a two-week extension of time for the Top Shelf Defendants to respond to Motogolf's Second Amended Complaint. We have the deadline to respond as Monday, April 25. We are asking for an extension of the deadline to Monday, May 9. We would agree to a reciprocal extension on the deadline for any responsive filing that may be due from Motogolf.

By way of explanation, my wife is expecting a new baby this week and I will be taking some time out of the office thereafter. We would appreciate the courtesy of the extension so that our office can complete the response in my absence.

Sincere thanks for your consideration. Please email or call John Tennert if you would like to discuss.

Wade

Wade Beavers, Associate

---

**FENNEMORE.**

7800 Rancharrah Parkway, Reno, NV 89511

T: 775.788.2208 | F: 775.788.2283

[wbeavers@fennemorelaw.com](mailto:wbeavers@fennemorelaw.com) | [View Bio](#)



**CONFIDENTIALITY NOTICE:** The information contained in this message may be protected by the attorney-client privilege. If you believe that it has been sent to you in error, do not read it. Please immediately reply to the sender that you have received the message in error. Then delete it. Thank you.